PATENT
Atty. Docket No. ABC-00501

AMENDMENT TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application.

1. (Currently amended) A method of maximizing a packet transfer rate in a network from a network appliance to an access point, wherein the network appliance has a faster packet transfer rate than the access point, the method comprising the steps of:
    a. determining a transfer speed of packets for the access point;
    b. controlling a rate of transfer of packets from the network appliance to accommodate the access point;
    c. determining an average size of packets received by the network appliance for transfer to the access point; and
    d. adjusting the rate of transfer of packets from the network appliance in response to the average size of packets, wherein adjusting the rate of transfer is performed dynamically to accommodate changes in the average rate of transfer of packets.

2. (Original) The method according to claim 1 wherein the step of determining a transfer speed of packets for the access point comprises measuring the transfer speed.

3. (Original) The method according to claim 1 wherein the step of determining a transfer speed of packets for the access point comprises a table containing data for a plurality of commercially available access points.

4. (Cancelled)

5. (Currently amended) An apparatus for maximizing a packet transfer rate in a network from a network appliance to an access point, wherein the network appliance has a faster packet transfer rate than the access point, the method comprising the steps of:
    a. a system for determining a transfer speed of packets for the access point;
    b. a controller for controlling a rate of transfer of packets from the network appliance to accommodate the access point;
    c. a circuit for determining an average size of packets received by the network appliance for transfer to the access point; and
    d. controller means for adjusting the rate of transfer of packets from the network

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appliance in response to the average size of packets, wherein the controller means operates dynamically to accommodate changes in the average rate of transfer of packets.

6.   (Original) The apparatus according to claim 5 wherein the system for determining a transfer speed of packets for the access point comprises a circuit measuring the transfer speed.

7.   (Original) The apparatus according to claim 5 wherein the system of determining a transfer speed of packets for the access point comprises a table containing data for a plurality of commercially available access points

8.   (Cancelled)
9.   (Cancelled)
10.   (Cancelled)
11.   (Cancelled)
12.   (Cancelled)
13.   (Cancelled)
14.   (Cancelled)
15.   (Cancelled)

16.   (Currently Amended) A method of maximizing packet throughput on a network, comprising:
      a.   computing an average packet size; and
      b.   dynamically adjusting an amount of data to be transmitted per unit of time based on the average packet size, wherein the average packet size is dynamically changed, such that when an incoming packet is greater than the average packet size the amount of data to be transmitted per unit of time increases, wherein the amount of data to be transmitted per unit time is based on either:
            a processing speed of an access point, or
            a processing speed of an access point and the average packet size,
            and when the incoming packet is less than the average packet size the amount of data to be transmitted per unit of time decreases.

17.   (Original) The method of claim 16 wherein a switch adjusts the amount of data to be

transmitted per unit of time.

18.   (Cancelled)

19.   (Cancelled)

20.   (Currently amended) The method of claim 16 [19] wherein the processing speed of the access point is predetermined.

21.   (Currently amended) An apparatus for maximizing packet throughput on a network, comprising:

    a.   means for computing an average packet size; and

    b.   means for dynamically adjusting an amount of data to be transmitted per unit of time based on the average packet size, wherein the average packet size is dynamically changed, such that when an incoming packet is greater than the average packet size the amount of data to be transmitted per unit of time increases, wherein the amount of data to be transmitted per unit time is based on either:

    a processing speed of an access point, or

    a processing speed of an access point and the average packet size,

    and when the incoming packet is less than the average packet size the amount of data to be transmitted per unit of time decreases.

22.   (Cancelled)

23.   (Cancelled)

24.   (Currently amended) The apparatus of claim 21 [23] wherein the processing speed of the access point is predetermined.